IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 186 OF 2007

Mr. Annasaheb Maruti Jadhav ..Petitioner
Vs.
Sou. Pushpa Annasaheb Jadhav and ors. ..Respondents

Mr. Dilip Bodake for petitioner.
Mr. Y.M. Nakhawa, APP for State.

**CORAM: B.H. MARLAPALLE, J.**

**Date : August 04, 2007.**

**P.C.:**

1. Heard Mr. Bodake the learned counsel for the petitioner-husband.

2. The respondent-wife along with her two children had filed Misc. Criminal Application No. 08 of 2003 under Section 125 of Cr.P.C. for maintenance and the same has been allowed by the learned JMFC at Atpadi on 31/3/2005. The learned Magistrate was pleased to direct to pay an amount of Rs.700/- p.m. to the wife and Rs.300/- p.m. to each of the two children. The said order came to be challenged in Criminal Revision Application No. 57 of 2005 by the petitioner-husband and the revision was dismissed along with Criminal Revision Application No. 94 of 2005 filed by the wife for enhancement of the

maintenance amount, by a common order dated 29/7/2006 passed by the learned 4th Ad-hoc Additional Sessions Judge at Sangli.

3. On the basis of the documentary evidence that was placed before the trial court, it has been noted that the husband has about 42 acres of land under is cultivation and some of which is under horticulture cultivation. The trial court considered the financial capacity of the husband and fixed the amount of maintenance. The learned Ad-hoc Additional Sessions Judge agreed with the reasoning set out by the trial court.

4. There is no case made out to cause interference in the concurrent view taken by both the courts below and the amount fixed by the trial court for maintenance to be paid to the respondent-wife and the two children is just and reasonable.

5. Petition is, therefore, rejected summarily.

**(B.H. Marlapalle,J.)**